

solely for the matters contained in titles III and IV.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 622. An Act to authorize appropriations for the United States Office of Special Counsel, the Merit Systems Protection Board, and for other purposes; and

S. 2251. An Act to amend the Energy Policy and Conservation Act to manage the Strategic Petroleum Reserve more effectively, and for other purposes.

The message also announced that the Senate disagreed to the amendments of the House to the bill (S. 21) "An Act to designate certain lands in the California Desert as wilderness, to establish Death Valley, Joshua Tree, and Mojave National Parks, and for other purposes," requested a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and appointed Mr. JOHNSTON, Mr. BUMPERS, and Mr. WALLOP, to be the conferees on the part of the Senate.

#### ¶119.6 PRIVATE CALENDAR

The SPEAKER directed the Private Calendar to be called.

When,

#### ¶119.7 BILLS PASSED OVER

By unanimous consent, the bills of the following titles were severally passed over en bloc without prejudice and retain their places on the Private Calendar:

H.R. 1184. A bill for the relief of Jung Ja Golden.

H.R. 2084. A bill for the relief of Fanie Phily Mateo Angeles.

H.R. 3718. A bill for the relief of Mark A. Potts.

#### ¶119.8 CALIFORNIA DESERT PROTECTION

Mr. MILLER of California, pursuant to clause 1 of rule XX, and by direction of the Committee on Natural Resources moved to take from the Speaker's table the bill of the Senate (S. 21) to designate certain lands in the California Desert as wilderness, to establish Death Valley, Joshua Tree, and Mojave National Parks, and for other purposes; together with the amendments of the House thereto, insist upon its amendments and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Pending consideration of said motion,

#### ¶119.9 POINT OF ORDER

Mr. POMBO made a point of order against the motion, and said:

"Mr. Speaker, I serve on both the Committee on Natural Resources and the Committee on Merchant Marine and Fisheries, to which S. 21 was also referred. Unfortunately, the referral to Merchant Marine and Fisheries was very short and that committee did not file a report on the bill. The net result is that my Merchant Marine and Fisheries colleagues did not have an opportunity to debate this bill in committee. Now it appears that the Committee on

Merchant Marine and Fisheries will not have a role in making the recommendation to the House with regard to insisting or receding from the Senate amendments to S. 21.

"Mr. Speaker, it is my understanding that, under rule XX and the precedents of the House, a privileged motion to go to conference must be authorized by both committees to which a bill has been jointly referred. I have been told that this precedent was decided prior to the time when sequential referrals were used in the House. I believe that the interests of the House would be best served if this interpretation were extended to sequential as well as joint referrals to ensure that all committees of jurisdiction on a bill will be treated as equal partners in the process."

Mr. MILLER of California was recognized to speak to the point of order and said:

"Mr. Speaker. The Committee on Natural Resources is the primary committee of jurisdiction here. There was a referral to the Committee on Merchant Marine and Fisheries. They could have exercised whatever actions they decided to. They did not decide to do that. By reason of the fact that we remain the primary committee, we have been instructed by our committee to go to conference on this matter."

The SPEAKER pro tempore, Mr. HUGHES, overruled the point of order, and said:

"The gentleman from California makes the point of order that, to be privileged under clause 1 of rule XX, the motion must be authorized not only by the Committee on Natural Resources but also by the Committee on Merchant Marine and Fisheries.

"Under clause 1 of rule XX, a motion to send a bill to conference is always in order if the Speaker, in his discretion, recognizes for that purpose and if the motion is made at the direction of all reporting committees having original jurisdiction over the bill. The Chair is guided by the precedent of September 26, 1978, standing for the proposition that the motion must be authorized by each committee of joint referral that has reported the measure to the House.

"In the instant case, the Committee on Merchant Marine and Fisheries was a committee of sequential referral of the House bill and did not report thereon to the House. The instant motion is, therefore, offered at the direction of the only committee of original referral of the House bill, and the only committee that reported thereon to the House—the Committee on Natural Resources. Accordingly, the motion is privileged under clause 1 of rule XX."

Mr. DOOLITTLE, pursuant to clause 3 of rule XVI, demanded the question of consideration on said motion.

The question being put, viva voce,

Will the House now consider the motion to insist upon its amendments and agree to the conference asked by the Senate?

The SPEAKER pro tempore, Mr. HUGHES, announced the yeas had it.

Mr. DOOLITTLE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 268  
Nays ..... 148

#### ¶119.10

[Roll No. 463]

YEAS—268

Abercrombie	Gejdenson	Mollohan
Ackerman	Gephardt	Montgomery
Andrews (ME)	Geren	Moran
Andrews (NJ)	Gibbons	Morella
Applegate	Gilchrest	Murphy
Bacchus (FL)	Gilman	Murtha
Baessler	Glickman	Nadler
Barca	Gonzalez	Neal (MA)
Barcia	Gordon	Neal (NC)
Barlow	Green	Oberstar
Barrett (WI)	Greenwood	Obey
Becerra	Gutierrez	Olver
Beilenson	Hall (OH)	Ortiz
Bereuter	Hamburg	Owens
Berman	Hamilton	Pallone
Bevill	Harman	Parker
Bilbray	Hastings	Pastor
Bishop	Hayes	Payne (NJ)
Blackwell	Hefner	Payne (VA)
Blute	Hilliard	Penny
Boehlert	Hinchev	Peterson (FL)
Bonior	Hoagland	Peterson (MN)
Borski	Hochbrueckner	Pickett
Boucher	Holden	Pickle
Brewster	Horn	Pomeroy
Brooks	Hoyer	Porter
Browder	Hughes	Poshard
Brown (CA)	Hutto	Price (NC)
Brown (FL)	Inslee	Rahall
Brown (OH)	Jacobs	Ramstad
Bryant	Jefferson	Rangel
Byrne	Johnson (CT)	Ravenel
Cantwell	Johnson (GA)	Reed
Cardin	Johnson (SD)	Reynolds
Carr	Johnson, E. B.	Richardson
Chapman	Kanjorski	Roemer
Clay	Kaptur	Rose
Clayton	Kennedy	Roukema
Clement	Kennelly	Rowland
Clyburn	Kildee	Roybal-Allard
Coleman	Klecza	Rush
Collins (IL)	Klein	Sabo
Collins (MI)	Klink	Sanders
Condit	Klug	Sangmeister
Conyers	Kopetski	Sawyer
Cooper	Kreidler	Saxton
Coppersmith	LaFalce	Schenk
Costello	Lambert	Schiff
Coyne	Lancaster	Schroeder
Cramer	Lantos	Schumer
Danner	LaRocco	Scott
Darden	Laughlin	Serrano
de la Garza	Leach	Sharp
Deal	Lehman	Shays
DeFazio	Levin	Shepherd
DeLauro	Lewis (GA)	Sisisky
Derrick	Lipinski	Skaggs
Deutsch	Lloyd	Skelton
Dicks	Long	Slaughter
Dingell	Lowey	Smith (IA)
Dixon	Machtley	Smith (NJ)
Dooley	Maloney	Snowe
Durbin	Mann	Spratt
Edwards (CA)	Manton	Stark
Edwards (TX)	Margolies-	Stenholm
Ehlers	Mezvinsky	Strickland
Engel	Markey	Stupak
English	Martinez	Swett
Eshoo	Matsui	Swift
Evans	Mazzoli	Synar
Farr	McCurdy	Tanner
Fazio	McDermott	Tauzin
Fields (LA)	McHale	Taylor (MS)
Filner	McKinney	Tejeda
Fingerhut	McNulty	Thompson
Fish	Meehan	Thornton
Flake	Meek	Thurman
Foglietta	Menendez	Torkildsen
Ford (MI)	Meyers	Torricelli
Ford (TN)	Mfume	Towns
Frank (MA)	Miller (CA)	Unsoeld
Franks (CT)	Mineta	Valentine
Franks (NJ)	Minge	Velazquez
Frost	Mink	Vento
Furse	Moakley	Visclosky